

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

APR 19 2006

DAVID J. MALAND, CLERK

BY  
DEPUTY

CASE NO. 4:06cr16  
(Judge Schell)

UNITED STATES OF AMERICA       §  
   §  
V.   §  
   §  
KELLEY LYNN BERRY               §

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND FINDING**  
**DEFENDANT GUILTY ON COUNT ONE OF THE INDICTMENT**

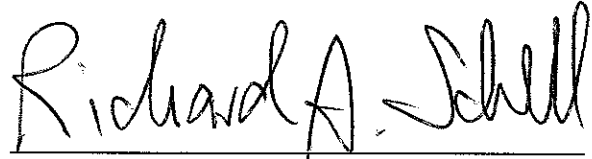
On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Don D. Bush regarding Defendant's plea of guilty to Count One of the Indictment in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the plea agreement and the guilty plea of the Defendant. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed April 5, 2006, are hereby ADOPTED.

It is further ORDERED that Defendant's guilty plea is accepted and approved by the Court.

It is finally ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY on Count One of the Indictment in the above-numbered cause.

Signed this 19<sup>th</sup> day of April, 2006

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE